



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

January 17, 2013

Dear Recycling, Composting, and Conversion Operation Owners/Operators:

MassDEP is contacting you because last year you submitted an annual report for a recycling, composting or conversion operation. Due to significant changes in the regulations, 310 CMR 16.00 "Site Assignment Regulations for Solid Waste Facilities", effective November 23, 2012, most recycling, composting, or aerobic/anaerobic digestion operations are now subject to the new General Permit regulations at 310 CMR 16.04. One of the requirements for recycling, composting, or aerobic/anaerobic digestion operations subject to a General Permit is the submission of an annual certification and annual report (see 310 CMR 16.04(2)(h) and (i)).

For your convenience, the table below identifies tonnage thresholds for operations subject to regulation pursuant to a 16.04 General Permit. In addition to the tonnage thresholds, the operation must meet the operational requirements listed in the regulations at 310 CMR 16.04.

Operations Eligible for a General Permit under 310 CMR 16.04

Type of Operation	Maximum Material Limits
Recycling Operations	• Receives no more than 250 tons per day of recyclable materials, not including paper [310 CMR 16.04(1)(a)].
Composting Operations	• Receives no more than 105 tons per week and no more than 30 tons per day of Group 2 organic materials [see 310 CMR 16.04(1)(b)]; AND • Contains less than 5,000 cubic yards of organic material per acre; AND • Has less than 50,000 cubic yards total of organic material on site at one time.
Aerobic or Anaerobic Digestion Operations	• Receives no more than 100 tons per day of organic material from on-site or off-site, based on a 30-day rolling average[310 CMR 16.04(1)(c)]

MassDEP advises that you review the regulations at 310 CMR 16.04 to determine if your operation is subject to the General Permit requirements. These regulations can be found at the following location on MassDEP's website:

<http://www.mass.gov/eea/docs/dep/service/regulations/310cmr16.pdf>.

If your facility does not meet these requirements or if there are ongoing compliance issues at your facility, you may need to apply for a Recycling, Conversion or Composting (RCC) Permit pursuant to 310 CMR 16.05. If you are currently involved in enforcement discussions with MassDEP, MassDEP will discuss the applicability of these regulations (310 CMR 16.04 and 310 CMR 16.05) to your operation. Please contact your regional office.

In an effort to make the General Permit certification and annual reporting process more efficient MassDEP is providing an on-line reporting tool, ReTrac Connect™, for submitting the annual certification and the annual report. **Your first filing is due by February 15, 2014.** A link to the User Guide for ReTrac Connect™ and the ReTrac Connect™ website is located on the MassDEP website: <http://www.mass.gov/eea/agencies/massdep/service/approvals/general-permit-annual-cert.html>

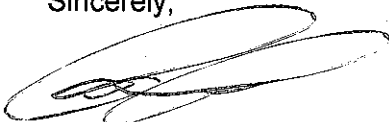
Permitted solid waste facilities with co-located recycling, composting, and conversion operations **do not** submit a General Permit certification through the ReTrac Connect™ website. These solid waste facilities shall submit recycling, composting and conversion operation information through their annual solid waste facility report. The annual solid waste facility reports have been updated to include a section for the reporting of recycling, composting, and conversion activities. These forms are located on the MassDEP website at:
<http://www.mass.gov/eea/agencies/massdep/recycle/approvals/solid-waste-applications-and-forms.html#8>

For Recycling, Composting, and Conversion Operations currently operating under a Determination of Need (DON) issued pursuant to the regulations effective prior to November 23, 2012, please refer to the transition provisions in the regulations at 310 CMR 16.01(12). Those provisions state that an owner and operator to whom a DON has been issued may continue operating in compliance with such DON until the DON expires or five years after November 23, 2012, whichever is sooner. Therefore, DON operations do not need to submit a General Permit certification or RCC Permit at this time. Any questions regarding DONs, including how and when to apply for permits pursuant to the amendments to the regulations, should be directed to the MassDEP Regional Office that issued the DON.

MassDEP's goal is to support the regulated community's best efforts to operate and maintain their recycling, composting, and conversion operations in compliance with applicable program requirements as efficiently and effectively as possible. However, failure to comply with the regulations may subject you to enforcement action, which may include financial penalties.

If you have ceased recycling, composting or conversion activities, have received this notification letter in error, or have questions that are not answered by the above letter, please call the helpline established for the General Permit Program at (617) 574-6879 or email at dep.swm@state.ma.us.

Sincerely,



Greg Cooper, Director
Business Compliance Division
Bureau of Waste Prevention